

To: Eckels, Marcella[MEckels@dep.nyc.gov]; Kwan, Caroline[kwan.caroline@epa.gov]; Mintzer, Michael[Mintzer.Michael@epa.gov]
Cc: David Bridgers (David.Bridgers@wallerlaw.com)[David.Bridgers@wallerlaw.com]; Vaughn, Stephanie[Vaughn.Stephania@epa.gov]; 'ian.beilby@dec.ny.gov'[ian.beilby@dec.ny.gov]; Kline, Gary E (DEC)[gary.kline@dec.ny.gov]; DiMura, Joseph (DEC)[joseph.dimura@dec.ny.gov]; Amron, Susan[samron@law.nyc.gov]; Mugdan, Walter[Mugdan.Walter@epa.gov]; Weissbard, Ron[RWeissbard@dep.nyc.gov]
From: Sivak, Michael
Sent: Wed 12/7/2016 10:49:42 PM
Subject: RE: Newtown Creek Outfall NCB-002

Ms. Eckels:

EPA has received and reviewed your letter of October 28, 2016, regarding Anchor QEA's characterization of Newtown Creek Wastewater Treatment Plant (WWTP) discharge NCB-002 as a CSO. In a September 22, 2016 e-mail to Anchor QEA, EPA addressed a previous NCG statement that "CSOs discharge 3.2 billion gallons per year (BGY) of untreated sewage and stormwater into the Creek each year". EPA's September 22 e-mail stated that NCB-002 should not be characterized as "untreated sewage and stormwater" and recommended that the NCG exercise discretion when presenting discharge estimates to the public. In addition, EPA recommended that the NCG clarify the conditions and parameters associated with the representation of discharge estimates. EPA has noted the NYCDEP's concerns expressed in your letter and will consider them carefully during review of the RI Report and associated models, particularly how the discharge from NCB-002 is characterized and modeled. I would also note that NYCDEP will have an opportunity to comment on the characterization and modeling of NCB-002 during its review of the RI Report and associated point source model.

Michael Sivak

212.637.4310

From: Eckels, Marcella [mailto:MEckels@dep.nyc.gov]
Sent: Friday, October 28, 2016 5:53 PM
To: Kwan, Caroline <kwan.caroline@epa.gov>; Sivak, Michael <Sivak.Michael@epa.gov>; Mintzer, Michael <Mintzer.Michael@epa.gov>
Cc: David Bridgers (David.Bridgers@wallerlaw.com) <David.Bridgers@wallerlaw.com>; Vaughn, Stephanie <Vaughn.Stephania@epa.gov>; 'ian.beilby@dec.ny.gov' <ian.beilby@dec.ny.gov>; Kline, Gary E (DEC) <gary.kline@dec.ny.gov>; DiMura, Joseph (DEC) <joseph.dimura@dec.ny.gov>; Amron, Susan <samron@law.nyc.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>; Mahoney, Eileen <EMahoney@dep.nyc.gov>
Subject: Newtown Creek Outfall NCB-002

Ms. Kwan, Mr. Sivac and Mr. Mintzer,

Please see attached letter.

Regards,

Marcella R. Eckels | Deputy General Counsel | NYC Environmental Protection

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